

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

NANCY K. WALKER,

Plaintiff,

v.

CIVIL ACTION NO. 2:14-cv-14174

AMERICAN MEDICAL SYSTEMS
HOLDINGS, INC.,

Defendant.

MEMORANADUM OPINION AND ORDER

On March 2, 2020, I entered an order directing plaintiff to show cause on or before April 2, 2020, why her case should not be dismissed as to defendant, American Medical Systems, Inc. (“AMS”), pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure.

Plaintiff has not responded to the Show Cause Order. For this reason and the reasons identified in my Show Cause Order related to plaintiff’s inaction in this case and failure to comply with Docket Control Orders, the court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that defendant AMS is dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiff at her address.

ENTER: April 6, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE